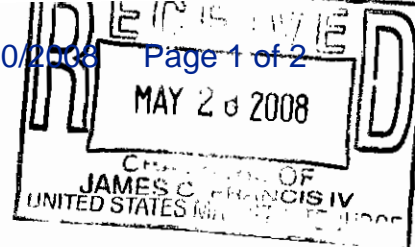
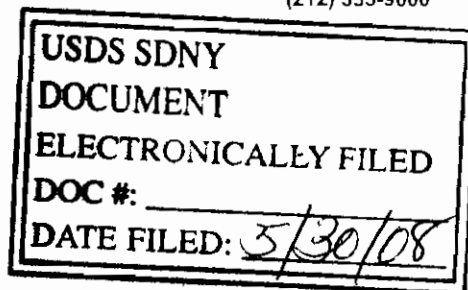




ROBERT M. MORGENTHAU
DISTRICT ATTORNEY



May 23, 2008

The Honorable James C. Francis IV
United States Magistrate Judge
500 Pearl St., Room 1960
New York, NY 10007

MEMO ENDORSED

Re: Marasa v. Alexander, 08 Civ. 2006 (PAC) (JCF)

Dear Judge Francis:

I am the attorney assigned to respond to the above-referenced habeas corpus petition. By Your Honor's order of March 31, 2008, respondent is required to answer the petition by May 30, 2008. I am writing to request a three-month extension of time until August 29, 2008. This is my first request for an extension.

An extension of time is required for several reasons. First, it is necessary to obtain all of the District Attorney's files for the case, and the trial transcript must be ordered from the state court's archives. That process alone can take several weeks. Further, this is a complex case with a voluminous record. Petitioner, a partner at a corrupt brokerage firm, was convicted of enterprise corruption, scheme to defraud, securities fraud, and grand larceny. The state court trial transcript is approximately 13,000 pages long, and there were hundreds of documents introduced as exhibits. The state appellate briefs were voluminous as well. The sheer size of this case warrants a three-month extension of time, to permit respondent to file a proper response.

In addition, I have other assignments that require immediate attention. I am currently litigating a civil case in Federal District Court, and I will have to file papers supporting a motion to dismiss within the next few weeks. In addition, I am writing a brief for the New York Appellate Division, First Department, which is due on August 6. I also have significant editing and administrative responsibilities. Under the circumstances, and especially in light of the size and complexity of this case, an extension until August 29 would be reasonable.

Thank you very much for your attention.

Respectfully,

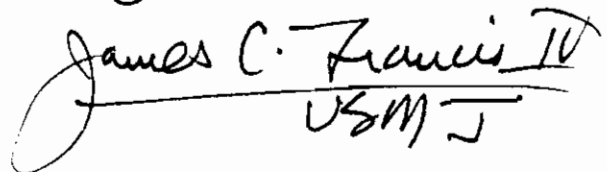


David M. Cohn
Senior Appellate Counsel
(212) 335-4098

cc: Salvatore Marasa, pro se
147 Margin Drive
Shirley, NY 11967

5/29/08

As discussed in today's telephone conference, the Office of the Attorney General will proceed with respondent's motion to dismiss pursuant to the previously-established schedule. If that motion is denied, it is anticipated that the New York County District Attorney will substitute in as counsel for respondent and address the petition on the merits.

SO ORDERED.

JCF